

REMARKS

- (1) Applicant notes that claims 8 and 17 have been allowed. The other claims remaining in the application now depend from allowed claim 17.
- (2) The rejection of any of the claims remaining in this application would be traversed and for the reasons set forth in the Response to Final Rejection filed August 15, 2006, which reasons are incorporated herein by reference.
- (3) Applicant also requests the Examiner to take into consideration the evidence of commercial success that was mailed on October 5, 2006.

Respectfully submitted,

Jeffrey T. Babicz

By

Joseph E. Spiegel

Reg. No. 19,450

Heslin Rothenberg Farley & Mesiti P.C.
5 Columbia Circle
Albany, NY 12203
T (845) 452-7840
F (845) 452-4731
e-mail spiegeljoseph@aol.com

Certificate of Facsimile Transmission

I hereby certify that the above amendment is being transmitted by facsimile to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Attention Primary Examiner Kimberly Lockett, Group Art Unit 2837 at facsimile no. 1-571-273-8300 on October 11, 2006.

Joseph L. Spiegel